

## REMARKS

Claims 1-22 have been presented for consideration in this application. Claims 10-16 are allowed. Applicants would like to thank the Examiner for identifying the allowable subject matter.

### Claim Rejections under 35 USC §102(e)

3. Claims 1, 7, 9, 17-18, and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Janoska et al., US 6,539,024. Applicants respectfully traverse these rejections.

To anticipate a claim, the reference must teach each and every element of the claim. *MPEP § 2131*. Janoska et al. does not teach each and every element of claim 1. Claim 1 has been rejected in the manner set forth in the previous office action. Applicants responded by identifying that in Janoska et al., elements 20-27 are “queuing elements” configured to independently receive cells/packets from the associated group of line cards 10. The queuing elements 20-27 are not queues configured to store data. According to Janoska et al., “[n]ote that the output buffer 40 includes a plurality of queuing elements 20-27, where each queuing element receives data cells from a different set of line card input.” (*See* col. 3, lines 20-25, emphasis added). In Janoska et al., each queuing element is coupled to its own group of incoming line card 10 via lines 1-15 such as, inputs 12 and 14 for the queuing element 20.

In his response, the Examiner stated that “there is no claim language that supports any distinction is this regard.” Applicants have amended claim 1 to further clarify that the plurality of second queues are configured to receive and store PDUs, received by the first queue, according to a priority of PDUs. As stated previously, Janoska et al. does not teach this limitation. Accordingly, claim 1 and those depending therefrom are patentably distinguishable from Janoska et al.

Claim 17 has been amended in the manner of claim 1 thus claim 17 and those depend therefrom are patentably distinguishable from Janoska et al. for at least the same reason as claim 1.

Claim Rejections under 35 USC §103(a)

Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janoska et al., US 6,539,024 B1, in view of Miki et al., US 6,453,394 B2. Applicants respectfully traverse these rejections.

Claims 6 and 8 depend from claim 1, which has been distinguished from Janoska et al. for failing to disclose each an every element of claim 1. Therefore, the combination of Janoska et al. and Miki et al. cannot render claims 6 and 8 obvious. Accordingly, claims 6 and 8 are patentably distinguishable from Janoska et al. for at least the same reason as claim 1.

Applicant believes this application and the claims herein to be in a condition for allowance. Should the Examiner have further inquiry concerning these matters, please contact the below named attorney for Applicant.

Respectfully submitted,



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